

STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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Office: (317) 232-2701
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IN THE MATTER OF PETITION OF)
INDIANA BELL TELEPHONE COMPANY,)
INCORPORATED ("SBC INDIANA") FOR)
THE COMMISSION TO EXERCISE ITS)
STATUTORY AUTHORITY UNDER)
I.C. 8-1-2.6 ET SEQ. TO DECLINE TO)
EXERCISE ITS JURISDICTION, IN WHOLE)
OR IN PART, AND USE ALTERNATIVE)
REGULATORY PROCEDURES AND)
STANDARDS AND APPROVE)
SBC INDIANA'S ALTERNATIVE)
REGULATION PLAN FOR THE PRICING)
AND OTHER REGULATION OF)
SBC INDIANA'S RETAIL AND)
CARRIER ACCESS SERVICES.)

FILED

FEB 06 2004

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42405

IN THE MATTER OF THE PETITION OF)
INDIANA OFFICE OF UTILITY)
CONSUMER COUNSELOR ("OUCC") FOR)
THE COMMISSION TO EXERCISE ITS)
STATUTORY AUTHORITY UNDER)
I.C. 8-1-2.6 ET SEQ. TO DECLINE TO)
EXERCISE ITS JURISDICTION, IN WHOLE)
OR IN PART, AND USE ALTERNATIVE)
REGULATORY PROCEDURES AND)
STANDARDS AND APPROVE)
OUCC'S ALTERNATIVE)
REGULATION PLAN FOR THE PRICING)
AND OTHER REGULATION OF)
SBC INDIANA'S RETAIL AND)
CARRIER ACCESS SERVICES.)

IN THE MATTER OF JOINT PETITION OF)
THE CITIZENS ACTION COALITION OF)
INDIANA, INC., AND UNITED SENIOR)
ACTION OF INDIANA, INC., TO APPROVE)
AN ALTERNATE ALTERNATIVE)
REGULATION PLAN FOR THE PRICING)
AND OTHER REGULATION OF SBC)
INDIANA'S RETAIL AND CARRIER)
ACCESS SERVICES.)

You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

At the scheduled evidentiary hearing on February 3, 2004, SBC, OUCC, Residential Consumers, the Intelenet Commission and the IURC staff jointly requested a continuance of the hearing based upon representation that a settlement had been reached in principle by those parties. The settling parties proposed that the settlement agreement would be filed on February 13, 2004. The motion for continuance was granted by the presiding officers over the objections of the non-settling parties. Once the motion was granted, all parties agreed to March 11 and 12, 2004 for the evidentiary hearing in the event a settlement is not filed with the Commission.

The parties could not agree on a procedural schedule in the event a settlement is filed with the Commission on February 13, 2004. However, the parties did agree to an evidentiary hearing date of May 6-7, 2004 and simultaneous proposed orders to be filed on May 21 and replies thereto on May 28, 2004. The presiding judge expressed concern that since OI 2000 expires on June 1, 2004, there is insufficient time to prepare an order following the evidentiary hearing in this Cause.

Therefore, the presiding officers now find that in the event a settlement is filed with the Commission, the procedural schedule should be as follows:

February 27, 2004--settling parties to file testimony in support of the settlement

April 14, 2004--non-settling parties to file testimony in response to the settlement

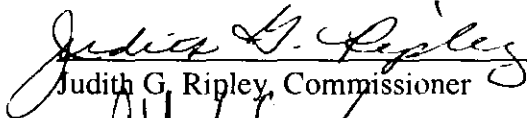
April 26, 2004--settling parties to file rebuttal

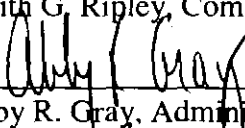
Discovery--to be conducted on an informal basis with 5 business days to respond or object to discovery requests until April 14 and thereafter, 5 calendar days to object or respond to discovery requests

Evidentiary hearing--May 6-7, 2004 commencing at 9:00 A.M. in room TC10.

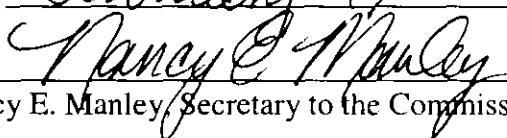
Finally, given the late hour of the settlement, the proposed schedules of the parties, the current deadline of June 1, 2004 for an order and the parties' inability to agree, the presiding officers now find that expiration of OI 2000, approved in Cause No. 40785-S1, 40849 and 41058 on March 19, 2001, of June 1, 2004 should be extended for a period of 30 days until July 1, 2004.

IT IS SO ORDERED.


Judith G. Ripley, Commissioner


Abby R. Gray, Administrative Law Judge

Date February 6, 2004


Nancy E. Manley, Secretary to the Commission